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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/759,120	01/20/2004	Feng-Hsia Kuan Huo	FP9933	6637
7590	01/10/2005		EXAMINER	
Leong C. Lei PMB#1008 1867 Ygnacio Valley Rd. Walnut Creek, CA 94598			PAYER, HWEI SIU CHOU	
			ART UNIT	PAPER NUMBER
			3724	

DATE MAILED: 01/10/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/759,120

Applicant(s)

KUAN HUO, FENG-HSIA

Examiner

Hw i-Siu C. Payer

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-4 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

Detailed Action

Objection to the Title

The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed. The title "Peeler Cover for Kitchen Knife Blade" is misleading. As the invention is understood, the disclosed cover (10) is not a peeler cover but a cover for attaching to a kitchen knife to convert the kitchen knife into a peeler. It is suggested the title be changed to --A COVER FOR CONVERTING A KITCHEN KNIFE INTO A PEELER--.

Drawings Objection

The drawings are objected to because:

(1) Fig.3 does not agree with Fig.1. The ventilation hole 19 shown in Fig.1 should not be seen in the Fig.3.

(2) Fig.4 does not agree with Fig.1. The ventilation hole 19 shown in Fig.1 should not be seen in the Fig..

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure

is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Objection to the Specification

The disclosure is objected to because of the following informalities:

(1) On page 4, the brief description of Fig.6 does not agree with the embodiment shown in the figure. Fig.6 shows a knife having its blade received in the body 11 of the cover with the protection clamp 16 removed.

(2) On page 4, line 9, "adapted to the cover" does not make sense.

(3) On page 6, line 2, it is not clear what "both wings" refers to. Where are they shown in the drawings? Further, "extends vertically for a locking panel" does not make sense. It appears the phrase should read --extend vertically to form locking panels--.

(4) On page 6, line 4, "for a locking point" should read --to form a locking point--.

Appropriate correction is required.

Claims Objection

Claims 1-4 are to because of the following informalities:

- (1) In claim 1, line 4, "middles" should read --middle--.
- (2) In claim 1, line 13, "the left-hander" should read --a left-handed--.
- (3) In claim 1, line 13, "right-hand" should read --right-handed--.

Appropriate correction is required.

Claims Rejection - 35 U.S.C. 112, second paragraph

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 1-4 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

(1) Claim 1 is vague and indefinite. First of all, the claimed peeler cover is not a peeler cover but a cover to be attached to a kitchen knife for converting the knife to a peeler. Further, while the preamble calls for a cover, the main body of the "frame edge" at line 7) is indefinite. Moreover, it is not understood what structure is defined by "flush over the exposed blade being related to a screening member given with mild restoration capacity of elasticity" (at lines 8-9).

- (2) In claim 2, "the other end" is vague and indefinite.

(3) Claim 3 is incorrect. The locking point 17A/18A extends from a locking panel 17/18 of the protection clamp 16 not from the outer edge of the frame 12/13. See Fig.2.

Indication of Allowable Subject Matter

Claims 1-4 would be allowable if rewritten or amended to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action.

Prior Art Citations

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Peterson, Miller, Cary, Harris, Nashat et al., McLaughlin and Francisco are cited as art of interest.

Point of Contact

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hwei-Siu C. Payer whose telephone number is 571-272-4511. The examiner can normally be reached on Monday through Friday, 7:00 am to 4:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on 571-272-4514. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9306 for official communications and 571-273-4511 for proposed amendments.

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H. S. Payer

H Payer
January 6, 2005

**Hwei-Siu Payer
Primary Examiner**